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July 19, 2016

Hon. Marilyn D. Go  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
New York, NY 11201

Re: Best v. Schneider, et al, 12-CV-6142 (NGG) (MDG)

Dear Judge Go:

This Office represents the defendants in this action. We write to request that the court direct plaintiff to respond to defendants' First Set of Interrogatories and First Request for Production of Documents and for a 30-day extension of fact discovery. This is the first request for an extension of the fact discovery deadline.

On May 18, 2016, defendants served on plaintiff a First Set of Interrogatories and First Request for Production of Documents. On June 21, 2016, defendants served a good faith letter on plaintiff requesting a response to these demands. To date, plaintiff has not responded to the discovery demands or the good faith letter. Pursuant to Local Rules 37.3 and 6.4, defendants hereby request that the court order plaintiff to respond to the outstanding demands.

Fact discovery is scheduled to conclude on August 5, 2016. Defendants noticed plaintiff's deposition for July 26, 2016 with the expectation that they would have discovery responses to review in advance of plaintiff's testimony. Given plaintiff's failure to respond, defendants respectfully request a 30-day extension of the fact discovery deadline for plaintiff to

respond to defendants' discovery requests and to complete plaintiff's deposition.

Lastly, with respect to plaintiff's letter, dated June 24, 2016 (ECF No. 119), contrary to plaintiff's assertion, defendants have complied with his discovery demand for the transfer order to Creedmoor Psychiatric Center. Defendants provided copies of the Final Order for Observation and the transfer paperwork on September 17, 2013 (ECF No. 70) and again on June 14, 2016. On July 13, 2016, plaintiff contacted me by telephone about the transfer order and related paperwork and I informed him that we have provided all documentation that we have concerning his transfer.

Respectfully submitted,

\_\_\_\_\_/s\_\_\_\_\_  
Jason Buskin  
Assistant Attorney General

cc: Hilary Best (via overnight mail)